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BY FEDERAL EXPRESS

November 17, 1994

MEMORANDUM

Enclosed is the complaint filed yesterday in the U.S. District Court for Massachusetts seeking invalidation of the advertising regulations adopted by the Millis Board of Health. The case is captioned Kishan Corporation v. Board of Health of the Town of Millis, Civil Action No. 94-122283 RCL. Also enclosed are the motion for a temporary restraining order and preliminary injunction, the supporting memorandum of law, and the affidavit of the plaintiff, who is represented by Verne Vance and John Henn of Foley, Hoag & Eliot. The regulations were scheduled to take effect today.

The case initially was assigned to Judge Reginald Lindsay but he has turned it over to Judge Richard Stearns for consideration of the motion for preliminary injunction. At the request of Judge Stearns, Mr. Vance has asked counsel to the Board of Health to delay enforcement of the advertising regulations until the court has ruled on the motion for preliminary injunction. Judge Stearns has scheduled the hearing on the motion for 3:30 p.m on Tuesday, November 22. Mr. Vance has not yet received a response from counsel to the Board with respect to delaying enforcement of the advertising regulations.

Please distribute the enclosed materials as appropriate.

David H. Remes

cc: Mr. Bezanson
Mr. Boman (by hand)
Ms. Johe
Ms. Keane
Ms. Marren
Mr. Stevens
Mr. Wells
Ms. Yoe (by hand)

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DENISE F. KEANE

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